

March 6, 1980

Mr. William H. Boley
Forest Engineer
U.S. Forest Service
Manti-LaSal National Forest
350 East Main Street
Price, UT 84501

Re: U.S. Ferto

Dear Mr. Boley:

On January 26, 1979, I wrote to you requesting a copy of the Environmental Assessment Report covering U.S. Ferto's operation in Sanpete County, and more particularly in the Dry Creek Drainage.

I also asked for an answer as to why U.S. Ferto was allowed to continue its operations in Dry Creek without approval of its plan for mining and reclamation. I received no response, and have not received any response since that time.

I also requested in my January 26, 1979 letter a copy of the easements or rights which U.S. Ferto has across the Forest Service land for use of the road system in the bottom of that creek. I have also requested information concerning the United States Forest Service approval of the road rehabilitation and reconstruction work that had been done by U.S. Ferto in the canyon, as well as the widening and straightening and alteration of the roadbed, the drainage system and the fill of rock material and debris in the stream. You have not replied to my request.

I also requested information and documents approving the culvert installation in the road system, including the design and specifications of such culverts. I have received no reply.

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Mining work was done in the years 1978 and 1979, contrary to your letter of March 22, 1979. I have been physically present and have observed the "stockpile" and the mining operations being conducted by U.S. Ferto.

I have enclosed a law firm check in an amount not to exceed \$50.00 to cover the costs of reproducing and forwarding to me copies of any and all drafts, rough drafts and/or final reports of the Environmental Assessment Report required of U.S. Ferto, including your approval of that report. I am also enclosing for your convenience copies of my letters to you and your letters in response.

On June 19, 1979, the operating plan submitted by Ferto was not complete, and on September 10, 1979 I wrote to you to determine whether the same had been completed, and have never received a response from you to my letter.

I have exercised every reasonable effort not to create any hostilities or impose on your office in any way, but have attempted to be cooperative with respect to this matter.

I am not a wild-eyed kook, and I have dealt with the United States Forest Service on a continuous basis for some 16 years on behalf of one of our clients, Boise Cascade Corporation, and have an absolute appreciation for the detail and the paperwork necessary in order to complete the day-to-day operation of the Forest Service. I find it hard to believe that U.S. Ferto can get approval under the National Environmental Protection Act of its Environmental Assessment Report and mining and reclamation plan.

I would like to hear from you at your earliest opportunity.

Yours very truly,

James R. Gillespie

JRG:sh
Enclosure

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